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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/487,191	01/19/2000	Rakesh Agrawal	AM9-99-0226	2881

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FLEURANTIN, JEAN B

[REDACTED] ART UNIT      [REDACTED] PAPER NUMBER

2172

DATE MAILED: 04/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/487,191	AGRAWAL ET AL.
	Examiner Jean B Fleurantin	Art Unit 2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                           | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)       | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 . | 6) <input type="checkbox"/> Other:  |

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## **DETAILED ACTION**

1. Claims 1-23 are presented for examination.

### ***Information Disclosure Statement***

2. The reference cited in the Information Disclosure Statement, PTO-1449 have been fully considered.

### ***Claim Rejections - 35 U.S.C. § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fayyad et al. (US Pat. No. 6,115,708) in view of Tendick et al. ‘A Modified Random Perturbation Method for Database Security - 03/1994’ (“Fayyad”), (“Tendick”).

As per claim 1, Fayyad substantially teaches the steps of perturbing original data associated with the user computer to render perturbed data (thus, some methods take the mean of the global data set and perturb it K times to get the K initial means or simply pick K random points from the data set, in most situations initialization is done by randomly picking a set of starting points from the range of the data; which is readable as perturbing original data associated with the user computer to render perturbed data) (see col. 2, lines 32-36); and

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using the perturbed data, generating at least one data mining model (thus, the end of the clustering process any of the clusters have zero membership then the corresponding initial guess at this cluster centroid is set to the data point farthest from its assigned cluster center, this procedure decreases the likelihood of having empty clusters after reclustering from the "new" initial point, resetting the empty centroids to another point may be done in a variety of ways; which is readable as using the perturbed data, generating at least one data mining model) (see col. 7, lines 32-39). But, Fayyad does not explicitly indicate the step of the maintaining the privacy of a user of the computer as claimed in the preamble. However, Tendick implicitly indicate the step of the DBMS must include mechanisms which allow statistical analysis but not access to data individual database records, which is readable as maintaining the privacy of a user of the computer (see page 48, lines 6-7). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Fayyad and Tendick with the step of maintaining the privacy of a user of the computer. This modification would allow the teachings of Fayyad and Tendick to improve the accuracy and the reliability of the system and architecture for privacy preserving data mining, and provide the optimal protection against such a problem among all possible covariance structures (see page 61, lines 4-5).

As per claims 2, 8, and 15 Fayyad substantially teaches a method as claimed, wherein perturbed data is generated from plural original data associated with respective plural user computers (thus, the end of the clustering process any of the clusters have zero membership then the corresponding initial guess at this cluster centroid is set to the data point farthest from its

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assigned cluster center, this procedure decreases the likelihood of having empty clusters after reclustering from the "new" initial point, resetting the empty centroids to another point may be done in a variety of ways; which is readable as wherein perturbed data is generated from plural original data associated with respective plural user computers) (see col. 7, lines 32-39).

As per claims 3, 9, and 16 Fayyad wherein the original values cannot be reconstructed from the respective perturbed values (thus, if at the end of the clustering process any of the clusters have zero membership then the corresponding initial guess at this cluster centroid is set to the data point farthest from its assigned cluster center this procedure decreases the likehood of having empty clusters after reclustering from the new initial point resetting the centroids to another point may be done in a variety of ways, which is readable as wherein the original values cannot be reconstructed from the respective perturbed values) (see col. 7, lines 37-39).

As per claims 4, 10, and 17 Fayyad substantially teaches a method as claimed, wherein at least some of the data is perturbed using a uniform probability distribution (thus, the result of clustering two different subsamples drawn from the same distribution and initialized with the same starting point, which is readable as wherein at least some of the data is perturbed using a uniform probability distribution) (see col. 6, lines 22-26).

As per claims 5, 11, and 18 Fayyad substantially teaches a method as claimed, wherein at least some of the data is perturbed using a Gaussian probability (thus, the model cluster is assumed be a Gaussian for each cluster the Gaussian is centered at the mean of the cluster, which

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is readable as wherein at least some of the data is perturbed using a Gaussian probability) (see cols. 2-3, lines 67-2).

As per claims 6 and 19, Fayyad substantially teaches a method as claimed, wherein at least some of the data is perturbed by selectively replacing the data with other values based on a probability (thus, a multinomial distribution has a simple set of parameters for every attribute a vector of probabilities specified the probabilities of each value of the attribute given the cluster, which is readable as wherein at least some of the data is perturbed by selectively replacing the data with other values based on a probability) (see col. 10, lines 20-25).

As per claims 7, and 13-14, in addition to the discussion in claim 1 above, Fayyad further teaches the steps of sending the perturbed values to a server computer (thus, data samples are each chosen as a starting point for a clustering of all the candidate solutions , the best solution returned as the refined ‘improved’ starting point to be used in clustering the full data set; which is readable as sending the perturbed values to a server computer) (see col. 4, lines 37-41).

As per claim 12, Fayyad substantially teaches a method as claimed, wherein the method acts further comprise perturbing categorical values of at least some categorical attributes by selectively replacing the categorical values with other values based on a probability (thus, assume the user is clustering using the EM algorithm and that data is discrete, and hence each cluster specifies a multinomial distribution over the data a multinomial distribution has a simple set of parameters for every attribute a vector of probabilities specified the probabilities of each value of the attribute given the cluster, since these probabilities are continuous quantities they have a

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"centroid" and K-means can be applied to them; which is readable as wherein the method acts further comprise perturbing categorical values of at least some categorical attributes by selectively replacing the categorical values with other values based on a probability ) (see col. 10, lines 18-25).

As per claims 20 and 23, Fayyad substantially teaches a method as claimed, further comprises sending the model to at least one user computer for use thereof by the user computer on original data (thus, a mixture model M having K clusters Ci, I=1 . . . , K assigns a probability to a data point x as follows ##EQU1## where W.sub.i are called the mixture weights, the problem of clustering is identifying the properties of the clusters Ci. Usually it is assumed that the number of clusters K is known and the problem is to find the best parameterization of each cluster model; which is readable as sending the model to at least one user computer for use thereof by the user computer on original data) (see col. 1, lines 25-38).

As per claims 21, Fayyad substantially teaches a method as claimed, wherein the user computer used the model on original data to render a classification, and then sends the classification to the Web site (thus, each of the points in figure 4B may be thought of as a "guess" for the possible location of a mode in the underlying distribution the estimates are fairly varied but they exhibit "expected" behavior the subsampling produces a good separation between the two clusters; which is readable wherein the user computer used the model on original data to render a classification, and then sends the classification to the Web site) (see col. 6, lines 13-15).

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As per claim 22, substantially teaches a method as claimed, wherein the model is sent to the user computer as a JAVA applet (see col. 1, lines 20-35).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fayyad et al. US patent Number 6,012,058 relates to database analysis. Agrawal et al. US patent Number 6,233,575 relates to organizing and indexing information items. Fayyad et al. US patent Number 6,263,337 relates to data sets that characterize the data.

***Conclusion***

5. Any inquiry concerning this communication from examiner should be directed to Jean Bolte Fleurantin at (703) 308-6718. The examiner can normally be reached on Monday through Friday from 7:30 A.M. to 6:00 P.M.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Mrs. KIM VU can be reached at (703) 305-8449. The FAX phone numbers for the Group 2100 Customer Service Center are: *After Final* (703) 746-7238, *Official* (703) 746-7239, and *Non-Official* (703) 746-7240. NOTE: Documents transmitted by facsimile will be entered as official documents on the file wrapper unless clearly marked "**DRAFT**".

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2100 Customer Service Center receptionist whose telephone numbers are (703) 306-5631, (703) 306-5632, (703) 306-5633.



Jean Bolte Fleurantin

March 21, 2002

JBF/



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